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January 31, 2008

VIA FACSIMILE

Honorable Richard J. Holwell
United States District Judge
Southern District of New York
500 Pearl St.
New York, New York 10007

USDC SDNY
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Re: Allen v. Sakellaridis, et al., 02 Civ. 4373 (RJH)(DCF)

Your Honor:

I am an Assistant Corporation Counsel in the office of Michael A. Cardozo, Corporation Counsel of the City of New York, attorney for defendants Sakellaridis, Crespo and Merced in the above-referenced matter. Plaintiff alleges, *inter alia*, that he was maliciously prosecuted and subjected to excessive force. Defendants respectfully request a brief, one day extension of time in order to produce defendant CO Crespo for a deposition in compliance with the Court's Order of December 27, 2007. Plaintiff has consented to this request.

On December 27, 2007, the Court granted in part plaintiff's request for additional discovery, permitting plaintiff to conduct three-hour depositions of the defendant Correction Officers on or before February 20, 2008. The depositions of defendants Merced and Sakellaridis have been scheduled on mutually agreeable dates prior to February 20, 2008. However, defendant CO Crespo is presently retired from the Department of Correction and resides in eastern Suffolk County. Due to his role as caregiver for his young child, defendant Crespo is unable to travel to New York City to be deposed until the week of February 18, 2008. The parties have agreed that defendants will produce defendant Crespo for a deposition on Thursday, February 21, 2008 at 1 p.m.

Accordingly, defendants respectfully request a brief, one day extension of time from February 20, 2008 until February 21, 2008 to produce all defendants for depositions in compliance with the Court's Order of December 27, 2007.

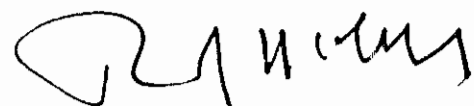
Thank you for your time and consideration herein.

Respectfully submitted,



Elizabeth M. Daitz (ED 1324)

cc: Jeh Charles Johnson (via e-mail)
Koren L. Bell (via e-mail)
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SO ORDERED

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